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SUBJECT: UNSC HOLDS FIRST POST-INDEPENDENCE KOSOVO MEETING

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11. (SBU) Summary: Special Representative of the Secretary-General (SRSG) Joachim Rucker told Ambassador

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Khalilzad on April 21 he hopes for deployment of EULEX and the International Civilian Office (ICO) by June. Rucker later told the full Security Council that UNMIK will continue to operate under its mandate in a practical way after Kosovo's new constitution comes into effect on June 15, although Kosovo Albanians consider that the transition period beginning with its declaration of independence (DI) will end on that date. Regarding Serbian elections on May 11, Rucker explained that UNMIK will continue its past hands-off approach, but that municipal elections represent a serious departure from past practice. He stressed that UNMIK has three redlines: no violence; no parallel security structures; and respect for UNMIK.

12. (SBU) Serbian President Tadic protested to Council members that Serbia had requested an annulment of Kosovo's illegal DI, however the SYG's report only mentions "a new reality." He said Serbia does not oppose an EU presence in Kosovo, but EULEX should only enter under a Security Council mandate. He said Serbia is ready to sign a Stabilization and Association Agreement (SAA) with the EU as soon as one is offered and that this should be treated separately from the Kosovo problem. Kosovo Prime Minister Hashim Thaci, who also participated in the Council session, promised Kosovo will work hard to advance the interests of minorities in Kosovo with "the Ahtisaari plan as the blueprint." He said the UN will continue to have a role in Kosovo, stating that Kosovo looks forward to working with the UN as it adapts to new circumstances. Russian Permrep Churkin said Rucker's briefing was "not objective" and accused UNMIK of facilitating violence against minorities in Kosovo and called for the SYG to brief the Security Council soon on the independent investigation of the March 17 incident. Ambassador Khalilzad praised the work of the UN and SRSG Rucker and Kosovo's efforts at implementing the Ahtisaari Plan. He stated that the U.S. stands ready to help Serbia find a future in the Euro-Atlantic family of nations. Khalilzad stressed that UNMIK must also continue to respond robustly to provocations. In a meeting the next day with Ambassador Khalilzad, Thaci promised to push minority rights and ensure that minority members of his government have a real say. Ambassador Khalilzad stressed to Thaci the importance of Kosovo helping to increase the number of recognitions by getting its story out. End Summary.

13. (SBU) In a meeting with Ambassador Khalilzad on April 21, Special Representative of the Secretary-General (SRSG) Joachim Rucker said the UN cannot be seen as "not talking with Belgrade," but should focus only on interim issues, not status. Rucker argued that the most important goal is to achieve EULEX and hopefully International Civilian Office (ICO) deployment by June, under a UN umbrella if necessary. Rucker said even renaming EULEX would be acceptable as long as it can fully deploy. Ambassador Khalilzad asked Rucker about efforts to harden the border and he said that UNMIK has been doing what it can with limited resources, and had still responded to every Serb provocation in Kosovo since February 17. Khalilzad stressed the need to have a detailed roadmap for the "fade-in/fade-out" process by which EULEX and ICO will replace UNMIK. Rucker responded that UNMIK has completed detailed plans, but nothing has been approved yet by UN headquarters.

Rucker's Briefing To UNSC

14. (SBU) Later in the day on April 21, Rucker briefed Security Council members on the Secretary General's latest report on the UN Interim Administration Mission in Kosovo (UNMIK). Rucker stated that Kosovo's February 17 declaration of independence (DI) had been welcomed by all communities in Kosovo except the Kosovo Serb community. He noted that Kosovo had already been recognized by over three-dozen countries, including some Security Council members. Rucker said that after Kosovo's constitution comes into effect on June 15, UNMIK will continue to operate under its mandate in a practical way, but it is clear that Kosovo officials consider that a transition period that began with the DI will end on June 15. Rucker underscored that the Serbian government has made impossible use of UNMIK's freedom of

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movement train and that Kosovo Serb boycotts of Kosovo institutions now include those under UNMIK's mandate such as the KPS, customs, railways, the judicial system, municipal administration and the Kosovo Corrections Service. He briefly reviewed the March 17 violence in which an UNMIK police officer was killed and many wounded, noting that the SYG had decided to conduct an independent investigation. Regarding Serbian elections on May 11, Rucker explained that UNMIK will continue its past hands-off approach, but that municipal elections represent a serious departure from past practice and could effect relations between Albanians and Serbs in Kosovo.

15. (SBU) Rucker told the Council that dialogue is always desirable and UNMIK is prepared to build bridges between communities in Kosovo wherever possible. He noted, however, that Kosovo Serbs had boycotted recent Kosovo elections and that he was open to ideas on how to achieve true Kosovo Serb representation. However, he stressed UNMIK has three redlines: no violence, no parallel security structures and respect for UNMIK. Rucker said UNMIK will continue to fulfill its mandate under 1244, even though "circumstances have changed" and that mandate does not mean the same thing that it did in 1999. He said UNMIK has fulfilled its mandate in every area, mostly with substantial success.

Tadic's Intervention Before UNSC

16. (SBU) Serbian President Tadic protested that Serbia had requested an annulment of Kosovo's illegal DI, while the SYG's report only mentions "a new reality." Tadic also complained about references by some in the international community to implementation of the Ahtisaari plan which he rejected as "not accepted in the Security Council." Tadic argued that Chapter 7 of the UN charter and UNSCR 1244 are

binding for member states and called the recognition of Kosovo's independence by many member states "a blow to the UN." Tadic called on countries who have recognized Kosovo to rescind those decisions, saying Serbia will never recognize Kosovo. Tadic raised the March 17 incident and said all should refrain from violence. He said Serbia does not oppose an EU presence in Kosovo, but EULEX should only enter under a Security Council mandate. Tadic also insisted that the ICTY acquittal of Ramush Haradinaj had been unjust and the case should be retried. He said Serbia is ready to sign a Stabilization and Association Agreement (SAA) with the EU as soon as one is offered and that this should be treated separately from the Kosovo problem. He insisted that "Serbia will never recognize an independent Kosovo" and so all involved have to find another way forward.
Kosovo PM Thaci In UNSC

17. (SBU) Kosovo Prime Minister Hashim Thaci expressed confidence before the Council regarding the significant number of recognitions up to now, but said Kosovo faces a challenge in addressing the concerns of its Serbian communities. He promised Kosovo will work hard to advance the interests of minorities in Kosovo with "the Ahtisaari plan as the blueprint." Thaci noted Kosovo has established a special office for outreach to minorities. He said the UN will continue to have a role post-independence in Kosovo, stating that Kosovo looks forward to working with the UN as it adapts to new circumstances.

Russia's Statement In UNSC

18. (SBU) Russian Permrep Churkin protested Kosovo's independence as illegal. He said EULEX deployment without Security Council approval is illegal as is the International Steering Group, adding that talk of transferring UNMIK's responsibility or launching the ICO is also unacceptable. Churkin claimed UNMIK has not yet fulfilled its mandate, especially on standards implementation. He further accused UNMIK of facilitating violence against minorities in Kosovo and said Russia hopes the SYG will brief the Security Council soon on the independent investigation of the March 17 incident. Churkin said Russia expects to see a "constructive UN position on elections" in Serb-majority areas of Kosovo. Churkin protested that overall Rucker was "not objective" in his presentation.

U.S. Statement In UNSC

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19. (SBU) Ambassador Khalilzad praised the work of the UN and SRSG Rucker and Kosovo's efforts at implementing the Ahtisaari Plan. He stated that the U.S. stands ready to help Serbia find a future in the Euro-Atlantic family of nations. He noted that the coming into force of Kosovo's constitution on June 15 will be a milestone, after which the UN role in Kosovo will need to adapt to other international presences as they begin to assume responsibilities. Khalilzad stressed that UNMIK must also continue to respond robustly to provocations. He expressed concern vis-a-vis recent provocative Serb actions in Kosovo such as the decision to hold municipal elections in Kosovo on May 11.

Statements By Other Security Council Members

110. (SBU) French Permrep Ripert said that in order to achieve priority objectives the UN must adapt to changing realities on the ground. He protested that some in the Serbian government have seemingly justified violence. Croatian Permrep Jurica said the EU should take over in assisting Kosovo's institutions as soon as possible. Chinese Deputy Permrep Liu said Kosovo is unique and not a precedent, but

will inevitably affect other parts of the world. Liu said for now UNMIK should continue to push standards implementation and there should be no talk about it withdrawing. Vietnam noted that in the Council meeting on February 17 it had supported the territorial integrity of states and rejected Kosovo's DI as not in line with 1244. UNMIK should continue to push a negotiated solution.

¶11. (SBU) Indonesian Permrep Natalegawa stated that standards must continue to be implemented and synergy between the UN and EU will be key. He said fine-tuning in response to events on the ground is necessary for any mission and will be necessary for UNMIK in line with 1244. Burkina Faso Permrep Kafando welcomed the progress on standards implementation in Kosovo even though problems remain. He regretted the lack of Serbian participation in Kosovo's institutions and called on the international community to offer its support to Kosovo. Libyan Permrep Ettalhi praised the calm in Kosovo that "exists even in the face of provocations." He said UNSCR 1244 should continue to be the foundation for UNMIK's mandate.

¶12. (SBU) UK Ambassador Sawers stated that while some reject the Ahtissari plan, it is critical and being implemented by the Kosovars. Costa Rica expressed sympathy for the "difficult position of Rucker given that many but not all UN members have recognized Kosovo." Italy stated that dialogue is the only effective way to prevent violent incidents and expressed support for dialogue between the UN and Belgrade. Belgian Permrep Verbeke called on the UN to do everything possible to facilitate the launch of the EU mission.

Ambassador Khalilzad's Meeting With PM Thaci

¶13. (SBU) In a meeting the next day with Ambassador Khalilzad, Thaci promised that he would continue to push minority rights and ensure that minority members of his government have a real say. Ambassador Khalilzad stressed the importance of Kosovo helping to increase the number of recognitions by getting its story out. Thaci promised Kosovo would try to do this. FM-designate Skender Heyseni said that Kosovo plans to open an office in New York very soon.

Khalilzad